

NOTICE OF RULE ADOPTION—FINAL RULE

STATE OF MISSISSIPPI
Mississippi Commission on Environmental Quality
Mississippi Department of Environmental Quality

FILED
FEB 05 2010

MISSISSIPPI
SECRETARY OF STATE

Mississippi Department of Environmental Quality
Attn: Theodore D. Lampton III, Senior Attorney
P.O. Box 2261
Jackson, Mississippi 39225
601-961-5573
Ted_Lampton@deq.state.ms.us

Reference to Rules repealed, amended or suspended by the Proposed Rule. Amends Wastewater Regulations for National Pollutant Discharge Elimination System (NPDES) Permits, Underground Injection Control (UIC) Permits, State Permits, Water Quality Based Effluent Limitations and Water Quality Certification (Commission Regulation WPC-1).

Specific Legal Authority Authorizing the promulgation of Rule: Miss. Code Ann. §§ 49-2-9(1) and 49-17-34 (Rev. 2003)

Date Rule Proposed: October 28, 2009

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

The purpose of the amendments to Commission Regulation WPC-1 is to be consistent with recent modifications to federal rules and regulations. The MDEQ Antidegradation Implementation Methodology is now included as an exhibit to the regulations, definitions are added to provide clarity to the regulations, and modeling requirements are updated. The proposed modifications also include numerous minor changes to provide clarification to the requirements in the regulations.

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

☒ An oral proceeding was held on this rule:

Date: December 1, 2009

Time: 5:00 p.m. CST

Place: Mississippi Dept. of Environmental Quality, 515 E. Amite St., Jackson, Mississippi

☐ An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

☐ This rule as adopted is without variance from the proposed rule.

☐ This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

☒ The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matter in the notice of proposed rule adoption,
The logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted response thereto, and
The Notice of Proposed rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: Adopted January 28, 2010
Effective 30 days after filing

Signature and Title of Person Submitting Rule for Filing

Theodore D. Lampton 2/5/2010

Theodore D. Lampton, III, Senior Attorney, MDEQ